

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

MARK BIROSHAK, et al.,	:	Civil No. C-1-01-300
	:	Senior Judge Weber
Plaintiffs,	:	
	:	
v.	:	<u>FEDERAL DEFENDANTS'</u>
	:	<u>REQUEST FOR AN</u>
CITY OF HAMILTON, et al.,	:	<u>EXTENSION OF TIME</u>
	:	
Defendants.	:	

The federal defendants respectfully request an extension of time, until January 7, 2004, to file their summary judgment motion herein. The purpose of the extension is to afford the parties an opportunity to attempt to settle this lawsuit.

MEMORANDUM

Counsel for the plaintiffs has advised counsel for the federal defendant that he will present a settlement proposal this week in this lawsuit. In order to afford counsel a reasonable opportunity to attempt to resolve this matter without simultaneously litigating this matter, the federal defendants request an extension of time, until January 7, 2004, to file their summary judgment motion herein. A proposed order is attached.

Respectfully submitted,

GREGORY G. LOCKHART
United States Attorney

s/Gerald F. Kaminski
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing FEDERAL DEFENDANTS' EXTENSION OF TIME was served on this 23RD day of December, 2003, was served electronically on: Scott T. Greenwood, Esq., and Wilson G. Weisenfelder.

s/Gerald F. Kaminski
GERALD F. KAMINKSI
Assistant U.S. Attorney